

Akinpelu 2003-0250

Remarks

Reconsideration of remaining claims 11-20 is respectfully requested.

In the Office action dated September 24, 2007, the Examiner rejected all pending claims under 35 USC §§ 112, second paragraph, 102(e) and 103(a). The Examiner's various rejections will be discussed below in the order presented in the Office action.

35 USC § 112, second paragraph Rejection – Claims 13-17

The Examiner first rejected claims 13-17 under 35 USC 112, second paragraph as being indefinite for failing to particularly point out and distinctly claim the subject matter of the present invention. This rejection was based on the lack of antecedent basis for the phrase "secondary nodes". In response, applicants have amended independent claim 11 to now define "a plurality of secondary nodes". Various other amendments have been made to comply with this amendment to independent claim 11. It is believed that with this amendment, the Examiner's rejection under 35 USC 112 has been completely addressed.

35 USC § 102(e) Rejection – Claims 11-16, 18

Claims 11-16 and 18 were next rejected by the Examiner under 35 USC 102(e) as being anticipated by US Patent 6,973,269 (Britz). In response, applicants assert that the network system of Britz describes the use of "aggregation" in terms of collecting signals from a plurality of separate customers, and aggregating this traffic at a business premises node before submitting the customer traffic further into the network. In contrast, the system of the present invention relates to utilizing a multi-service processor for "aggregating customer traffic and providing the multiple network services to a customer". There is no discussion or suggestion in the cited Britz reference regarding the provision of multiple services to a single customer. The portions of Britz cited by the Examiner are directed to providing a single 'drop' to a customer not providing multiple services.

Thus, inasmuch as Britz does not disclose or suggest any arrangement which aggregates multiple services for provision to a customer through one provider, applicants assert that Britz cannot be found to anticipate the subject matter of the present invention as defined by claims 11-16 and 18. Indeed, independent claim 11 has been amended to clarify this aspect of the present

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invention. Applicants thus respectfully request the Examiner to reconsider this rejection and find claims 11-16 and 18 to be in condition for allowance.

35 USC § 103(a) Rejection – Claim 17

Lastly, the Examiner rejected claims 17 under 35 USC 103(a) as being unpatentable over Britz, as cited above, when further considered with US Patent 6,798,740 (Sevevirathne), where the Sevevirathne reference was cited as teaching the utilization of the STM communication standard. Regardless of this teaching, however, applicants assert that the combination of references does not disclose or suggest the formation of a communication system where a customer premises equipment multi-service processor is used to aggregate different types of traffic (voice, data, Internet, video, etc.) so that all of these types of information can be supplied to a single customer.

Based on this, applicants respectfully request the Examiner to reconsider this rejection and find claim 17 to also be in condition for allowance.

In light of these amendments, applicants believe that the case, in its present form, is now in condition for allowance. Indeed, applicants have cancelled claims 1-10 from this application to allow the prosecution to progress towards issue. Applicants thus respectfully request the Examiner to review these amendments and find the remaining claims to be in condition for allowance.

If for some reason or other the Examiner does not agree that the case is ready to issue and that an interview or telephone conversation would further the prosecution, the Examiner is invited to contact applicant's attorney at the telephone number listed below.

Respectfully submitted,

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